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OCT 30 2004

**FAX TRANSMITTAL**S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman

Attention: John Breene

Group Art Unit 2167 (517)272-0800

Margaret Focarino

Technology Center 2100 (517)272-4107

Serial No.: 09/398,289

Group Art  
Unit:

Filed: September 20, 1999

To:

Fax: (703) 872-9306

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

This fax contains 7 pages + this cover page.

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CPC 11/01/04

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman      Attention: John Breene  
Margaret Focarino

Serial No.: 09/398,289      Group Art  
Unit:

Filed: September 20, 1999      To: John.breene@uspto.gov  
Margaret.focarino@uspto.gov  
Fax: (703) 872-9306

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

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**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

October 30, 2004

Dear Madam and Sir:

On September 18, 2004 I emailed to you the attached email and documents (letter of September 18, 2004 and letter of November 23, 2003).

As of today I received no response to this email.

Please advice on the status of this matter.

May I briefly present my complaint regarding the handling this patent application:

1. First office action indicated prior art paragraphs that provided no support whatsoever to examiners rejections. So it was presented to the examiner in my reply.
2. The second office action included clearly misleading out-of-context quotes from the same prior art reference. This was presented to the examiner in the reply.

3. Since then it seems I face any possible method to exhaust my resources and create a situation of abandonment.
4. This seems to reflect also in patent application 09/492,863 handled by the same examiner, where in spite of replying on time to first office action to 2 USPTO fax numbers, the examiner responded with abandonment due to no reply (my reply was easily found in the USPTO and the application was revived).

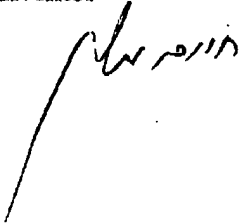
My situation with these applications with this specific examiner is extremely unusual.

I would greatly appreciate your involvement in this matter.

Sincerely,

Haim Melman,

Inventor



**Haim M Iman**

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**From:** Haim Melman [haim@infobit.com]  
**Sent:** 18:51 2004 ספטמבר 18 שבת  
**To:** john.breene@uspto.gov  
**Cc:** margaret.focarino@uspto.gov  
**Subject:** Patent Application 09/398,289 - Handling problems

**Tracking:** Redplent                      **Read**  
john.breene@uspto.gov              Read: 2004-09-21 17:50  
margaret.focarino@uspto.gov Read: 2004-09-20 13:46

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

OCT 30 2004

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Haim Zvi Melman	Attention:	John Breene Peggy Focarino
Serial No.:	09/398,289	Group Art Unit:	2172
Filed:	September 20, 1999	Email:	John.breene@uspto.gov Margaret.focarino@uspto.gov
Title:	APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS		

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**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

September 18, 2004

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

OCT 30 2004

S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman      Attention: Kim Y. Vu  
Jean M. Corrielus

Serial No.: 09/398,289      Group Art Unit: 2172

Filed: September 20, 1999      Fax: (703) 746-7238  
(703) 746-7239

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF  
DOCUMENTS

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**Memorandum**

Assistant Commissioner for Patents  
Washington, DC 20231

November 23, 2003

Dear Sir or Madam:

This fax is directed to you as I ceased to receive any responses to my communication from Mr. Shahid Al Alam following my filing of an appeal.

Could you please help me in this matter to get the file on track and handled as required.

Allow me please to present the role of events:

9/27/1998	Patent application 126373 filed in the Israeli Patent Office
9/3/1999	I sent a request to file a patent application in USPTO with the Israeli priority date.
9/20/1999	Application was filed in the USPTO as 09/398,289
2/17/2000	Following a trip for one year to the USA I assigned the power of attorney to Eitan,

	Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away from my correspondence address in Israel.
8/28/2001	Office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
11/23/2001	<p>I was back in Israel and took-over the handling of the application.</p> <p>I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.</p>
4/10/2002	A final office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
6/20/2002	<p>I had an interview with Mr. Alam where he stated, for example, that a claim 1 can not be accepted as it is too broad and is also omnibus.</p> <p>I could not understand a "too broad" as a basis for rejecting a claim. Also, I could not see that any claim was omnibus. The interview did not provide any insight to the office action.</p>
7/9/2002	<p>A reply to the offices action was faxed to Mr. Alam.</p> <p>The reply presented in details that Mr. Alam misquoted from the references and presented it in a misleading interpretation enabled by misquoting.</p> <p>The record of the interview of 6/20/2002 was attached to the reply.</p> <p>A reference was made to USPTO definition of omnibus to show there was no ground for Mr. Alam to present claim 1 as omnibus.</p>
8/23/2002	Change of Address was filed representing myself for correspondence matters.
10/9/2002	Appeal forms submitted
10/24/2002	Message sent to <u>myself</u> : A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to <u>myself</u> suggesting to find an attorney to file the Appeal Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted

4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to <u>Eitan, Pearl, Latzer &amp; Cohen-Zedek</u> instead of myself.
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address.  I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with <u>37 CFR 1.192(c)</u>  ( <a href="http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206">http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206</a> )
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
9/28/2003	I faxed a second memo.
11/23/2003	As of today I received no response.

May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, [haim@infobit.com](mailto:haim@infobit.com).

Sincerely,

Haim Melman / Inventor.

